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APPLICATION NO. FILING DATE		NG DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,920	07/28/2003		Nils Ove Gustavsson	003301-072	3614
35437	7590	05/03/2006		EXAMINER	
		N FERRIS GLO	KRISHNAN, GANAPATHY		
666 THIRD AVENUE NEW YORK, NY 10017				ART UNIT	PAPER NUMBER
	, -			1623	
			DATE MAILED: 05/03/2006		

Please find below and/or attached an Office communication concerning this application or proceeding.

•	Application No.	Applicant(s)				
	10/627,920	GUSTAVSSON ET AL.				
Office Action Summary	Examiner	Art Unit				
	Ganapathy Krishnan	1623				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply						
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).						
Status						
1)⊠ Responsive to communication(s) filed on 15 Section 2a) This action is FINAL. 3)□ Since this application is in condition for allower closed in accordance with the practice under Expression 2.	action is non-final. nce except for formal matters, pro					
Disposition of Claims						
4) Claim(s) 30-34,36-45 and 47-64 is/are pending 4a) Of the above claim(s) is/are withdraw 5) Claim(s) 30-34,36-45,47-58 and 60-64 is/are at 6) Claim(s) 59 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or	vn from consideration. llowed.					
Application Papers						
9) The specification is objected to by the Examine 10) The drawing(s) filed on is/are: a) access Applicant may not request that any objection to the Replacement drawing sheet(s) including the correct 11) The oath or declaration is objected to by the Ex	epted or b) objected to by the Eddrawing(s) be held in abeyance. See ion is required if the drawing(s) is obj	e 37 CFR 1.85(a). ected to. See 37 CFR 1.121(d).				
Priority under 35 U.S.C. § 119						
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.						
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date	4) Interview Summary Paper No(s)/Mail Da 5) Notice of Informal Pa	(PTO-413) te. <u>27 <i>April 2006</i></u> . atent Application (PTO-152)				

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DETAILED ACTION

The Request for Continued Examination filed 9/15/2005 has been received, entered and carefully considered. The following information provided in the amendment affects the instant application:

- 1. Claims 1-29, 35 and 46 have been canceled.
- 2. Claims 30, 32, 36 and 47 have been amended.
- 3. Remarks drawn to rejections under double patenting.

Claims 30-34, 36-45 and 47-64 are pending in the case.

The text of those sections of Title 35, U. S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 59 recites the limitation "substance" in 31. There is insufficient antecedent basis for this limitation in the claim.

Conclusion

- 1. Claim 59 is rejected.
- 2. Claims 30-34, 36-45, 47-58 and 60-64, drawn to a starch that has greater than 85% amylopectin content, purity of at most 50 microgram amino acid nitrogen per gram of dry weight and having a molecular

weight in the range of 100-4000 kDa and its microparticles as instantly claimed is neither taught or suggested by the prior art of record.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ganapathy Krishnan whose telephone number is 571-272-0654. The examiner can normally be reached on 8.30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shaojia A. Jiang can be reached on 571-272-0627. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GK

Shaojia Jiang

Supervisory Patent Examiner

Art Unit 1623